

## **NOTICE AND AGENDA**

### **SUNNYVALE CITY COUNCIL TUESDAY, OCTOBER 6, 2009 COUNCIL CHAMBERS and WEST CONFERENCE ROOM CITY HALL - 456 W. OLIVE AVE. SUNNYVALE, CALIFORNIA**

#### **5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)**

##### City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session
  - a. Joint Study Session with Planning Commission to Discuss Consolidated General Plan
4. Public Comment
5. Adjourn Special Meeting

#### **7 P.M. COUNCIL MEETING**

*Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.*

**CALL TO ORDER** - Call to order in the Council Chambers

**SALUTE TO THE FLAG**

**ROLL CALL**

**SPECIAL ORDER OF THE DAY** – National Arts and Humanities Month

**PUBLIC ANNOUNCEMENTS**

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

*Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5.*

**PRESENTATION** – Annual Sacramento Update by Senator Elaine Alquist (5 minutes)

**PRESENTATION** – "State of the District" - Fremont Union High School District (15 minutes)

**CONSENT CALENDAR**

1.A. MOTION Approval of Information/Action Items – Council Directions to Staff

**Fiscal Items**

1.B. MOTION List of Claims and Bills Approved for Payment by the City Manager – List  
RTC 09-255 No. 473

Staff Recommendation: Review the attached lists of bills.

Staff Contact: Pete Gonda, (408) 730-7418

**Contracts: SunnyvaleWorks!**

1.C. MOTION Rejection of Sunnyvale Works! Bids for Concrete Sidewalk, Curb &  
RTC 09-258 Gutter Replacement – 2011 (F0908-10)

Staff Recommendation: Reject all bids received in response to Invitation for Bids No. F0908-10 for Concrete Sidewalk, Curb and Gutter Replacement 2001.

Staff Contact: Pete Gonda, (408) 730-7418

1.D. MOTION Amend an Existing Contract with Associated Infrastructure  
RTC 09-259 Management Services Corporation for Project Management Services  
(F0909-26)

Staff Recommendation: Amend an existing contract with the AIMS Corporation for project management and engineering services and increase the total not-to-exceed amount by \$250,000, from \$300,000 to \$550,000.

Staff Contact: Pete Gonda, (408) 730-7418

1.E. MOTION Amend an Existing Contract with Consolidated Engineering  
RTC 09-257 Laboratories for General Inspection and Testing Services (F0909-22)

Staff Recommendation: Amend an existing contract with Consolidated Engineering Laboratories and increase the total not-to-exceed amount by \$75,000, from \$99,000 to \$174,000.

Staff Contact: Pete Gonda, (408) 730-7418

**Other Items**

1.F. ORDINANCE Adoption of Ordinance No. 2903-09 Amending Chapter 3.16 (Transient  
No. 2903-09 Occupancy Tax) of Title 3 (Revenue and Finance) of the Sunnyvale  
Municipal Code Related to Payment of Assessed Taxes Required Prior  
to Legal Action

Staff Recommendation: Approve the second reading of Ordinance No. 2903-09.

Staff Contact: David Kahn, City Attorney (408) 730-7464

- 1.G. MOTION Wolfe Road Underground Utility District - Setting Date for Public  
RTC 09-256 Hearing on November 17, 2009

Staff Recommendation: Alternative No. 1: Approve the Resolution of Intent to create a Wolfe Road Underground Utility District that sets a date of November 17, 2009 for public hearing.

Staff Contact: Richard Chen, (408) 730-7414

**STAFF RESPONSES  
TO PRIOR PUBLIC  
COMMENTS**

*Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments*

**PUBLIC COMMENTS**

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

**GENERAL BUSINESS**

*If you wish to speak to a general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.*

2. PRESENTATION SunnyvaleWorks! – Six Months Later

Staff Contact: Gary Luebbbers, (408) 730-7480

3. PRESENTATION Launching Neighborhood Enhancement Action Team (NEAT)

Staff Contact: Gary Luebbbers, (408) 730-7480

**COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE  
ASSIGNMENTS**

**NON-AGENDA ITEMS & COMMENTS**

- Council
- Staff

**INFORMATION ONLY REPORTS/ITEMS**

- Tentative Council Meeting Agenda Calendar

**ADJOURNMENT**

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**Notice to the Public:**

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

## **GUIDELINES FOR ADDRESSING THE CITY COUNCIL**

### **Public Announcement – Beginning of Council Meeting**

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis (only announce one time).

### **Public Hearing – Order of Hearing as Follows:**

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

### **Public Comments**

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by the Council. Individuals are limited to one appearance during this section.

### **Planning a presentation for a City Council/Planning Commission meeting?**

To assist you in utilizing the technology available in the Council Chamber, the publication "*How to Make Your Council Chamber Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chamber prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

### **Planning to present materials to Council?**

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

### **SCHEDULED COUNCIL MEETINGS**

<b>DATE</b>	<b>MEETING</b>	<b>TIME</b>	<b>PLACE</b>
Oct. 20, 2009	Council Meeting	7 p.m.	Council Chambers
Oct. 27, 2009	Council Meeting	7 p.m.	Council Chambers
Nov. 17, 2009	Council Meeting	7 p.m.	Council Chambers
Nov. 24, 2009	Council Meeting	7 p.m.	Council Chambers
Dec. 1, 2009	Council Meeting	7 p.m.	Council Chambers
Dec. 8, 2009	Council Meeting	7 p.m.	Council Chambers
Dec. 15, 2009	Council Meeting	7 p.m.	Council Chambers

### **OTHER SCHEDULED MEETINGS**

Oct. 5, 2009	Board of Library Trustees	7 p.m.	Library Program Rm A
Oct. 12, 2009	Planning Commission Study Session	7 p.m.	West Conference Rm
Oct. 12, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 14, 2009	Administrative Hearing	2 p.m.	West Conference Rm
Oct. 14, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
Oct. 15, 2009	Bicycle and Pedestrian Advisory Com.	6:30 p.m.	West Conference Rm
Oct. 19, 2009	Personnel Board	5 p.m.	Council Chambers
Oct. 21, 2009	Arts Commission	7 p.m.	Council Chambers
Oct. 26, 2009	Planning Commission Study Session	7 p.m.	West Conference Rm
Oct. 26, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
Oct. 28, 2009	Administrative Hearing	2 p.m.	West Conference Rm
Oct. 28, 2009	Housing and Human Services Commission	7 p.m.	West Conference Rm
Nov. 2, 2009	Board of Library Trustees	7 p.m.	Library Program Rm A
Nov. 4, 2009	Heritage Preservation Commission	7 p.m.	West Conference Rm
Nov. 11, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
Nov. 18, 2009	Arts Commission	7 p.m.	Council Chambers
Dec. 9, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
Dec. 16, 2009	Arts Commission	7 p.m.	Council Chambers

### **CHANNEL 15 – KSUN**

For a complete schedule of KSUN-15 broadcasts, visit [KSUN.inSunnyvale.com](http://KSUN.inSunnyvale.com)

Oct. 4, 2009	City Council Meeting – Replay of Sept. 29, 2009	4 p.m.
Oct. 6, 2009	City Council Meeting – Live	7 p.m.
Oct. 7, 2009	City Council Meeting – Replay of Oct. 6, 2009	7 p.m.
Oct. 11, 2009	City Council Meeting – Replay of Oct. 6, 2009	4 p.m.
Oct. 20, 2009	City Council Meeting – Live	7 p.m.
Oct. 21, 2009	City Council Meeting – Replay of Oct. 20, 2009	7 p.m.
Oct. 25, 2009	City Council Meeting – Replay of Oct. 20, 2009	4 p.m.
Oct. 27, 2009	City Council Meeting – Live	7 p.m.
Oct. 28, 2009	City Council Meeting – Replay of Oct. 27, 2009	7 p.m.
Nov. 1, 2009	City Council Meeting – Replay of Oct. 27, 2009	4 p.m.